

Applicability
of USC 101
note.

5 USC
8313 note.

"(B) the price index for the calendar quarter immediately before the calendar quarter in which the rates of monthly basic pay on which the retired pay is based became effective.

"(3) MEMBERS COVERED.—Paragraphs (1) and (2) apply to a member or former member of an armed force who first became a member of a uniformed service before August 1, 1986, and whose retired pay base is determined under section 1406 of this title.

"(d) FIRST COLA ADJUSTMENT FOR MEMBERS WITH RETIRED PAY COMPUTED USING HIGH-THREE.—Notwithstanding subsection (b), the retired pay of a member or former member of an armed force who first became a member of a uniformed service before August 1, 1986, and whose retired pay base is determined under section 1407 of this title shall be increased on the effective date of the first adjustment of retired pay under subsection (b) after the member or former member becomes entitled to retired pay by the percent (adjusted to the nearest one-tenth of 1 percent) equal to the difference between the percent by which—

"(1) the price index for the base quarter of that year, exceeds

"(2) the price index for the calendar quarter immediately before the calendar quarter during which

the me mber beca me entit led to retir ed pay" ~~—~~FOR SUSPENSION. ~~—~~The Secretary of Defense shall develop uniform procedures under which the Secretary of a military department may suspend the payment of the retired pay of a member or former member of the Armed Forces during periods in which the member willfully remains outside the United States to avoid criminal prosecution or civil liability.

(b) EFFECTIVE DATE. ~~—~~The amend ment made by subsect ion (a) shall apply only to adjustm ents of retired and retainer pay effectiv e after the date of the enactm ent of this Act. The procedures shall address the types of criminal offenses and civil proceedings for which the procedures may be used, including the offenses specified in section 8312 of title 5, United States Code, and the manner by which a member, upon the return of the member to the United States, may obtain retired pay withheld during the member's absence.

(2) REPORT TO CONGRESS. ~~—~~The Secretary of Defense shall submit to Congress a report describing the procedures developed under subsection (a). The report shall include recommendations regarding changes to existing provisions of law (including section 8313 of title 5, United States Code) that the Secretary determines are necessary to fully implement the procedures.

(3) RETIRED PAY DEFINED. ~~—~~For purposes of this section, the term "retired pay" means retired pay, retirement pay, retainer pay, or equivalent pay payable under a statute to a member or former member of a uniformed service.

(4) EFFECTIVE DATE. ~~—~~The uniform procedures required by subsection (a) shall be developed not later than 30 days after the date of the enactment of this Act.

SEC.

633.
SUSPENSION OF PAYMENT OF RETIRED PAY OF MEMBERS WHO ARE ABSENT FROM THE UNITED STATES TO AVOID PROSECUTION.

(a)

DEVELOPMENT OF PROCEDURES